

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34427 of 2018

Arising Out of PS.Case No. -5 Year- 2018 Thana -NAUBATPUR District- PATNA

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1. Gulab @ Gulab Kumar @ Amitesh Kumar @ Amires, S/o Late Lulan Sharma @ Lalan Sharma, resident of Village- Chesi, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

2 27-06-2018 Heard learned Counsel for the petitioner and the learned Counsel for the State.

Petitioner, already in custody since 23.1.2018 seeks bail in Naubatpur PS Case No. 5 of 2018, registered under Sections 302/34, 120B of the IPC and Section 27 of the Arms Act.

The allegation in brief is that the informant's brother had gone for irrigating agricultural field in the night, in the next morning his dead body was found and suspicion is raised against the accused persons including the petitioner that informant's brother was eliminated by Shailesh Sharma who nourished some enmity against him on account of dispute in the previous assembly election.

Submission is that there is no enmity between the petitioner and the deceased, only suspicion is raised on the basis of confessional statement of the petitioner forcibly taken by the police that he was hired by Shailesh Sharma to kill the deceased, no evidence relating to the petitioner showing his involvement in the present occurrence has been collected and the petitioner is in custody since 23.1.2018.



Learned Counsel for the State submits that the petitioner is named in the FIR but concedes that there is no eye witness of the occurrence.

Having considered the said facts and circumstances, the petitioner Gulab @ Gulab Kumar @ Amitesh Kumar @ Amires is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of ACJM II, Danapur, Patna in connection with Naubatpur PS Case No. 5 of 2018 with the following conditions:-

- (i) One of the bailors shall be a close family member of the petitioner; and
- (ii) The petitioner shall appear before the trial court on each date and in case of failure to appear on two consecutive dates except because of reasonable cause his bail bonds shall be liable to be cancelled.

(Arun Kumar, J)

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